

JUDGE SWAIN

UNITED STATES DISTRICT COURT

Southern

District of

New York

JOE SIMON-WHELAN, Individually And On
Behalf Of All Others Similarly Situated,
Plaintiff,

SUMMONS IN A CIVIL ACTION

V.

THE ANDY WARHOL FOUNDATION FOR THE
VISUAL ARTS, INC., THE ESTATE OF ANDY
WARHOL, VINCENT FREMONT, Individually and
Successor Executor For the Estate of Andy
Warhol, VINCENT FREMONT ENTERPRISES,
THE ANDY WARHOL ART AUTHENTICATION
BOARD, INC., JOHN DOES 1-20, JANE DOES
1-10, and RICHARD ROES 1-10,
Defendants.

CASE NUMBER:

07 CV 6423

RECEIVED
07 JUL 13 PM 5:08
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TO: (Name and address of Defendant)

The Andy Warhol Foundation for the Visual Arts, Inc.
65 Bleeker Street, Floor 7
New York, New York 10012

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Lee A. Weiss
DREIER LLP
499 Park Avenue
New York, NY 10022

Seth A. Redniss
REDNISS & ASSOCIATES LLC
185 Franklin Street, 5th Floor
New York, New York 10013

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON**JUL 13 2007**

CLERK

DATE

(By) DEPUTY CLERK

Maria Savino

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT
DISTRICT OF NEW YORK

-----X AFFIDAVIT OF SERVICE
JOE SIMON-WHELAN, Individually and on Behalf Index No. 07 CV 6423
of Others Similarly Situated.

Plaintiff,

- against -

THE ANDY WARHOL FOUNDATION FOR
THE VISUAL ARTS INC, THE ESTATE OF
ANDY WARHOL, VINCENT FREMONT,
Individually and Successor Executor For the
Estate of Andy Warhol, VINCENT FREMONT
ENTERPRISES, THE ANDY WARHOL ART
AUTHENTICATION BOARD, INC.
JOHN DOES 1-20, JANE DOES 1-10
AND RICHARD DOES 1-10

Defendant.

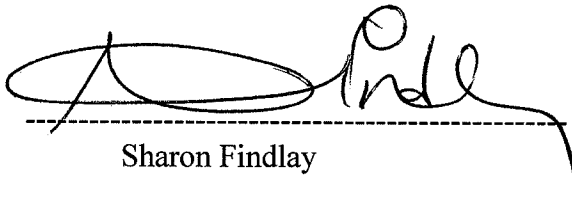
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STATE OF NEW YORK)
) ss.:
NEW YORK)

Sharon Findlay, being duly sworn, deposes and says: Deponent is not a party to this action, and is over 18 years of age and is a resident of the State of New York.

On July 17, 2007, at approximately 3:00 pm, at 65 Bleeker Street, 7th Floor, New York, NY 10012, Deponent served the within Summons in a Civil Action, Class Action Complaint and Jury Demand, Individual Practices of Judge Laura Taylor Swain, Individual Practices of Magistrate Judge Andrew J. Peck, 3rd Amended Instructions for Filing an Electronic Case or Appeal. Guidelines for Electronic Case Filing and Procedures for Electronic Filing, upon: **The Andy Warhol Foundation for the Visual Arts Inc.**, by delivering to and leaving with K.C Maurer, Chief Financial Officer, a true and correct copy of said documents.

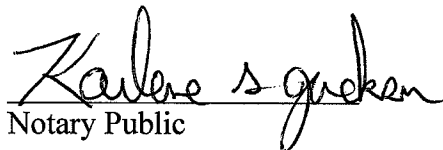
At the time of said service, K.C. Maurer, stated that she is duly authorized to accept service of legal documents on behalf of The Andy Warhol Foundation for the Visual Arts Inc.

K.C. Maurer is described a white female, approximately 42-45 yrs. of age, 215-220 lbs., 5'6"-5'7" tall, with light brown hair.



Sharon Findlay

Sworn to before me this
23rd day of July, 2007



Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5083169
Qual. in Queens Cty, New York Cty
Commission Expires November 17, 2009